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VIA ECF

September 22, 2023

Hon. Kevin P. Castel
United States District Court Judge
Southern District of New York
500 Pearl Street, Courtroom 11D
New York, NY 10007

Re: *Sphere 3D Corp. v. Gryphon Digital Mining, Inc.*, 1:23-cv-02954-PKC

Dear Judge Castel:

We represent Plaintiff Sphere 3D Corp. (“Sphere”). We write pursuant to this Court’s Individual Practice 3(F) to request oral argument on Gryphon’s partial motion to dismiss (the “Motion”). DE 25. Sphere respectfully submits that oral argument would be of assistance to the Court in deciding the Motion.

Respectfully submitted,

/s/ Gregory N. Wolfe